



DAVID E. JANSSEN
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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July 31, 2007

Board of Supervisors
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The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

CONTRACT AMENDMENT WITH LOS ANGELES COUNTY BAR ASSOCIATION INDIGENT DEFENSE CRIMINAL APPOINTMENTS PROGRAM (ALL DISTRICTS AFFECTED) (3 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the attached amendment between the County of Los Angeles and the Los Angeles County Bar Association (LACBA) to increase by \$197,000 the annual compensation paid for administration of the Los Angeles Countywide Capital Case and Indigent Criminal Defense Appointment (ICDA) programs, \$72,000 of which is specifically for the defense in specific civil proceeding reimbursable under SB90.
2. Delegate authority to the Chief Executive Officer to sign the contract amendment.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the contract amendment is to provide funding to offset the additional administrative workload resulting from an increase in the number of courtrooms that must be staffed when the Public Defender and Alternate Public Defender are unable to represent their defendant(s) because of a conflict of interest or other lawful unavailability.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In December 1998, the County entered into a multi-year contract with LACBA to provide adult criminal indigent defense services for third tier conflicts and other lawful unavailability cases. The 1998 contract provided ICDA attorneys with set hourly rate compensation based upon case type and \$250,000 for administrative coordination of the Countywide Capital Case and ICDA programs. In July 2000, the administrative compensation was increased to \$275,000 annually. In October 2004, the administrative compensation was increased to \$355,000 annually to offset the additional workload resulting from the expansion of the ICDA program to five courts. This amendment would increase the compensation for these services to \$480,000 for criminal matters due to an increase in available courtrooms and add \$72,000 for the recently added workload for sexually violent predator cases.

LACBA currently has six ICDA program staff to assign and supervise independent attorneys who handle criminal defense services for clients when the Public Defender and Alternate Public Defender are unable to represent because of a conflict of interest or other lawful unavailability. Currently, there are 347.0 attorneys and additional attorneys will be coming on board to address the additional workload. ICDA program staff also maintain an information database containing the qualifications and court assignments of all panel attorneys.

This contract amendment would become available the day after Board approval. This amendment has been approved as to form by County Counsel.

FISCAL IMPACT AND FINANCING

Under the Lockyer-Insenberg Trial Court Funding Act of 1997, the County of Los Angeles is responsible for criminal indigent defense costs. Funding to cover these costs is available in the Trial Court Indigent Defense Budget. The \$72,000 amount is for cases that were in existence at the time Jessica's Law was passed by the voters, and is therefore eligible for reimbursement under SB90 guidelines.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This public/private partnership between the County of Los Angeles and LACBA supports Strategic Plan Goal No. 1, Service Excellence, by providing quality public service; Goal No. 3, Organizational Effectiveness, by enhancing organizational effectiveness across jurisdictional boundaries; and Goal No. 4, Fiscal Responsibility.

The Honorable Board of Supervisors
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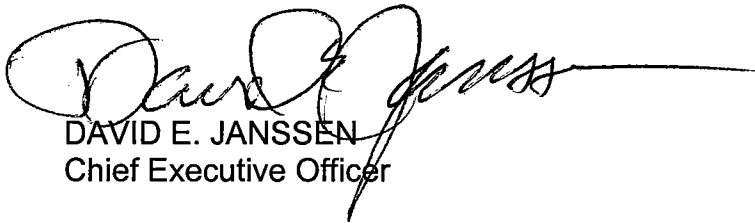
IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended administrative compensation increase will allow ICDA to maintain the service level of administrative support to the Indigent Criminal Defense Appointment Program and to handle a limited number of cases that may result from the effort to clear a backlog of civil commitment proceedings for sexually violent predator cases.

CONCLUSION

Upon approval of the recommendations by the Board of Supervisors, it is requested the Executive Officer, Clerk of the Board, return two fully executed copies of the contract to the Chief Executive Office.

Respectfully submitted,



DAVID E. JANSSEN
Chief Executive Officer

DEJ: SRH:RDC
JW:yjf

Attachment

c: County Counsel
Los Angeles County Bar Association

Contract.amendment.LACBA.bl

**LOS ANGELES COUNTY BAR ASSOCIATION (LACBA)
INDIGENT CRIMINAL DEFENSE APPOINTMENT PROGRAM (ICDA)
COUNTYWIDE INDIGENT DEFENSE SERVICES
SYN #58 OF 11/10/98**

**CONTRACT AMENDMENT
EFFECTIVE ONE DAY AFTER BOARD APPROVAL THROUGH
JUNE 30, 2008**

Whereas, on July 1, 2005, the existing agreement between the County of Los Angeles and the Los Angeles County Bar Association's Indigent Criminal Defense Appointment (ICDA) program was extended for three years on the same terms set forth in both the original contract and subsequent contract extensions; and

Whereas, said agreement provides a cost-effective program for third tier criminal defense services for clients the Public Defender and Alternate Public Defender are unable to represent because of a conflict of interest or other lawful unavailability; and

Whereas, the Los Angeles County Bar Association provides complete administrative coordination of Los Angeles County's Countywide Capital Case and ICDA panel attorney programs; and

Whereas, the ICDA panel attorney program has experienced a significant increase in administrative support requirements as a result of the Public Defender and Alternate Public Defender being unable to represent because of a conflict of interest or other lawful unavailability.

Effective the day after Board of Supervisors approval, this Contract is amended to add the following language to Paragraph 4 of the original contract:

"Beginning with contract year 2007-08, said administrative fee shall be increased to \$552,000, of which \$72,000 is specifically for Sexually Violent Predator civil commitment proceedings."

The undersigned mutually agree to this amendment.

Date: 9/17/07

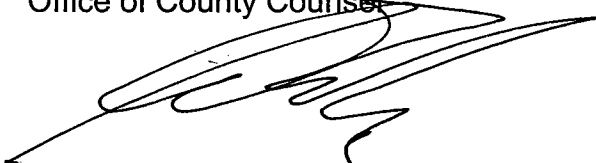
Date: _____


Contractor
Los Angeles County Bar Association

County's Contract Manager

Approved as to form:
Office of County Counsel

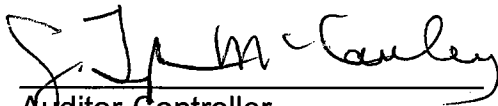
Date: _____



Principal Deputy County Counsel

Executive Officer, Board of Supervisors

Date: 7/17/07



Auditor-Controller